

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEREMIAH LUCKEY,

Plaintiff,

-against-

CAPTAIN JONAS, C.O. YARYGIN, C.O. SIMON,
C.O. LISCHKIN, C.O. JOSEPH, C.O. SIMPSON,

Defendant.
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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

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DATE FILED: 2/19/20

ORDER

18 CV 8103 (AT) (KNF)

IT IS HEREBY ORDERED that:

- (1) a telephonic initial pretrial conference will be held with the parties in the above-captioned action on March 3, 2020, at 9:30 a.m. The telephonic conference shall be initiated by counsel to defendant Captain Jonas to (212) 805-6705;
- (2) the Superintendent or other official in charge of the Woodbourne Correctional Facility shall provide inmate Jeremiah Luckey, DIN Number 18A4637979, a private room, with telephone service, so that he may participate in the above-noted telephonic initial pretrial conference with the Court and defense counsel;
- (3) plaintiff Jeremiah Luckey shall appear in a private room, designated by the Superintendent or other official in charge of the Woodbourne Correctional Facility, to participate in said telephonic conference;
- (4) **At least five (5) days before the conference, the parties must meet or confer by telephone to discuss the matters specified in Fed. R. Civ. P. 26(f) and must complete the attached questionnaire.** No discovery plan specified by Fed. R. Civ. P. 26(f) needs to be filed with the Court, but **counsel to Capt. Jonas must**

submit the completed questionnaire to the chambers of the undersigned, via facsimile, to (212) 805-6712, at least two (2) days before the conference. At or prior to the meeting or telephonic conference between the parties, the parties must comply with the applicable automatic disclosure requirements of Fed. R. Civ. P. 26(a)(1). In addition, if the plaintiff seeks damages for personal injuries, the plaintiff must provide signed authorizations for release of all pertinent records from medical service providers. During the scheduled initial pretrial conference, the parties must be fully prepared to discuss any issues pertaining to this case, including subject matter jurisdiction, venue, schedules for discovery, insurance coverage and settlement;

- (5) counsel to Capt. Jonas is directed to serve a copy of this Order on the Superintendent or other official in charge of the Woodbourne Correctional Facility, expeditiously; and
- (6) the plaintiff is directed to contact the Pro Se Intake Unit of the United States District Court, for any procedural assistance he may require.

Dated: New York, New York
February 19, 2020

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

Copy mailed to Jeremiah Luckey

INITIAL CONFERENCE QUESTIONNAIRE

1. If not yet made, date for completion of automatic disclosures required by Fed. R. Civ. P. 26(a) or, where applicable, Local Civil Rule 33.2 of this court.: _____
2. Number of depositions by plaintiff(s) of: parties _____ non-parties _____
3. Number of depositions by defendant(s) of: parties _____ non-parties _____
4. Number of depositions which the parties expect may last longer than the seven hour limit under Fed. R. Civ. P. 30(d)(2): party _____ non-party _____
5. Number of expert witnesses of plaintiff(s): _____ medical _____ non-medical
Date for expert report(s): _____
6. Number of expert witnesses of defendant(s): _____ medical _____ non-medical
Date for expert report(s): _____
7. Maximum number of requests for admission by: plaintiff(s) _____ and defendant(s) _____
(Note: requests must be served at least 30 days before the discovery deadline)
8. Date for completion of all discovery: _____
N.B. All discovery is to be initiated so as to be completed on or before the date the parties insert at paragraph 8.
9. Date by which plaintiff(s) will supply his or her pretrial order materials to defendant(s):

10. Date by which the parties will submit a pretrial order with trial briefs and either
(1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial: _____
11. Is there any limitation to be placed on discovery, including any protective or confidentiality order(s)? _____ If yes, please provide a short statement of the limitation(s) needed.
12. Is there any discovery issue(s) on which the parties, after a good faith effort, were unable to reach agreement? _____ If yes, please provide a short statement of the issue(s).

Date:

Date:

Signature of *Pro Se* Plaintiff or
Counsel to Plaintiff(s)

Signature of Counsel to Defendant(s)